

The intervention of UMAR in the area of violence against women^{*}

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Summary. *Violence against women has increasingly been the focus of research, assessment and intervention in Portugal. In spite of the growing commitment of the public and the private sector, of the police, education, local and city councils, courts, health centres, mass media and institutions, violence against women is still a current problem. In this article the prevalence data regarding violence against women in Portugal will be discussed and the mechanisms to tackle this situation including governmental policies and strategies, and the interventions developed at the national level and the role of UMAR (No Governmental Organization, with public status) in defences of women's rights.*

Keywords: *violence against women, domestic violence, feminist ecological model, gender equality, intervention in domestic violence*

Observatory of Murdered Women (OMA) of Union of Women Alternative and Response (UMAR), begun in 2004, was established as a working group that studies homicide and attempted homicide and all forms of gender violence and monitors cases that result in acts of violence against women. Based on a dynamic search that combines quantitative and

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qualitative methodologies, this working group also intends to contribute to the knowledge and understanding of this phenomenon in order to find ways to eliminate all forms of violence against women. Raising awareness about the patriarchal and sexist nature of violence, the OMA also takes into account the interrelationship with other variables such as social class, ethnicity, sexual orientation and age, for deeper causes and consequences of this serious social problem. We aim to further link these results to understand the lower levels, more insidious gender inequality, as are misogyny and femicide.

The OMA recorded until the year of 2011, a total of 23 women killed in the context of marital and intimate relationships. In 2011, and in reference to November 2011, the numbers of attempted murders recorded by the OMA were 39. However the UMAR Centre for Abused Women, showed a decrease in homicides compared to the year 2010, and a similar number of homicides occurring in 2007. Regarding the prevalence of attempted murder the same does not occur, and is a value identical to that recorded in 2010. For homicides, OMA counted a total of 62 victims (direct and indirect victims), including 13 homicides and 49 in the attempted murders.

Until November 2011, OMA registered a total of 22 women murdered and 39 attempted murders in the context of intimate relationships (OMA, 2011). At least 9 of the 43 women murdered in the year of 2010 had lodged a complaint of domestic violence (DGAI, 2011).

These numbers become particularly alarming when analyzed in light of Portuguese demographics (10 and a half million inhabitants, according to the Census 2011). According to the data from the “Monitoring Report of Domestic Violence”, the Directorate General of Internal Administration (DGAI), in the first half of 2011, registered 14,508 domestic violence crimes, 5596 (38.6%) by the Guard National Republican (GNR) and 8912 (61.4%) by the Public Security Police (PSP), corresponding to 2,418 crimes per month and 80 per day.

In the Security Forces, there is almost a thousand staff with specific responsibilities within domestic violence. About 57% of the posts and police stations with jurisdiction already have a waiting room for the victims. Of a total of 317 investigation files of domestic violence reported to DGAI in the 1st half of 2011 it was found that 80.8% resulted in filing, 18.6% in charge and less than 1% by temporary suspension of the process. Of all the sentences for the crime of domestic violence, 64% resulted in convictions and 36% in acquittal.

The sentences correspond in 82% of cases to imprisonment of between 1 and 3 years and in 13% of cases to imprisonment exceeding 3 years, suspended for the same period; only in 6% of cases the sentence was imprisonment. In many cases additional penalties were given to the defendant such as the obligation to attend a program of prevention of

domestic violence, treatment of alcoholism/drug addiction and/or prohibition of contact with the victim / removal from the residence.

Given these numbers we wonder what is failing. The law itself is not a sufficient mechanism to prevent the reality of crimes and the repetition of criminal conduct. Society as a whole will have to want and work towards the elimination and zero tolerance for any violence.

A swift justice – effective with respect to the punishment of offenders, measures and penalties that have direct and concrete impact on the lives of offenders and protection measures with real impact on the lives of victims – will serve more the principles of general and specific prevention intended by law.

We know that the time to submit the complaint is decisive and critical, and hearing the stories of women we realize that this is not always an easy process, because for many of them the first time that they approach the subject is in a police station, without adequate support (Mota, 2002). Very often the victims themselves, following the complaint, expressed the desire not to continue with the process, deny the events on the day of the inquiry or remit to silence in court. Some arguments support the theory that this happens because of the emotional dependence of the victims towards their partners. This explanation although is not false, is overly simplistic.

Domestic violence is a public crime. Institutions should encourage victims to formalize the complaint and the staff is required by law to do so. The problem arises because it is very difficult to protect victims who, in the absence of social responses, legal and appropriate health assistance, often have to stay in cohabitation with abusers (Manita, Ribeiro, Peixoto, 2009).

The jurisprudence has progressed (Lisboa, Barroso, Patrício, Leandro, 2009) and now Article 30 of Law 112/2009 of September 16, speaks of the possibility of detention without flagrant offense. These and other legislative changes are put at the disposal of the female victim in terms of legal rights, but in practice, they do not seem to be granted.

The coercive measures, which include the removal of the aggressor or the electronic surveillance often apply only in extreme cases (such as those in which there is attempted murder, for instance), leaving other victims vulnerable. The priority access to social support is also provided but it is not guaranteed. Sometimes there is a lack of articulation of judicial decisions, when in the context of criminal proceedings protective measures are enacted and on the other hand, in cases of juvenile jurisdiction, conflicting decisions are made that compromise the safety of victims.

In our practice, we see a set of constraints that women face in these situations, the most pressing is to leave their home - often escaping, facing then the difficulties of the decision and the sense that they have to start a new life losing significant links, which translates into feelings of hopelessness and injustice (Manita, Ribeiro, &Peixoto, 2009). Also we note, as some authors pointed out: the negative implications in quality of life and health (Campbell, 2002; Ellsberg, Jansen, Heise, Watts, & Garcia-Moreno,

2008; Krug et al., 2002), the association of increased use of health services compared to those who do not face such situations (Koss, Koss, & Woodnuff, 2000; Loxton, Schofield, & Rafat, 2004; Plichta, 2004) and therefore repercussions of these on the quality of services. (Kiss & Schraiber, 2009; Sugg & Inui, 1992).

Also in regards to social responses, we face some difficulties. For example, what concerns shelters, in Portugal, there are 35 and cover 67% of the country (Coutinho & Sani, 2011). In our view, the facilities are sufficient but it is still difficult to properly manage vacancies and integrations, because they are being used as responses to situations of social risk and no risk to the physical integrity of women and / or their minor children. This difficulty can be explained by the almost complete lack of specialized means of temporary emergency accommodation and the absence of intermediate social responses (such as transition rates, monetary assistance for rent, priority access to housing and employment for victims, etc.).

Measures to combat violence

The Commission for Citizenship and Gender Equality (CIG) is one of the governmental agencies employed in gender equality, and it's integrated in the Presidency of the Council of Ministers and currently under the supervision of the Secretary of State for Parliamentary Affairs and Equality. The CIG, established by Decree-Law No.164/2007 on May 3rd, succeeds the Commission for Equality and Women's Rights (CIDM) in the tasks, structure and mission against domestic violence and integrates the functions related to the promotion of equality of the Commission for Equality in Labour and Employment.

With the Third Plan for Equality - Citizenship and Gender (2007-2010) developed and implemented by the CIG, as a way to strengthen national policy in the field of gender equality, fulfilling the commitments made at national and international level, through the mainstreaming of gender issues in different policy areas and specific actions to promote gender equality, including affirmative action.

This Plan intends to assert equality as a factor for competitiveness and development through a threefold approach: a) strengthening the mainstreaming of gender as a requirement of good governance, to ensure their integration in all areas of political activity and of social reality; b) combining this strategy with specific actions, including positive action to overcome the inequalities that affect women in particular; c) the introduction of a gender perspective in all areas of discrimination, paying a particular look at the different impact of this to men and women.

In Portugal, as in other EU countries, there still exists a significant wage gap as a function of gender. As The Global Gender Gap Report 2011

(Hausmann, Tyson, Zahidi, 2011), mentioned, on average, women earn 31% less than men. Portugal is in 35th position among 135 countries with low rates of Equality. Politics is the component in which the results are more positive, taking the country to the 34th position overall. In Education, Portugal occupies the 55th position, and in Economics it falls to 59th. The indicators are lower in Health, which appears in 71st position (idem). The decline of Portugal, the report says, is due to "a small deterioration in the categories of estimated income, pay equity and female representation in parliament" (ibid). On a scale where a score of 1 means total equality between men and women and 0 represents the inequality, Portugal is 0.714 points. None of the countries of the world evaluated in the three parameters achieved the acceptable index.

In Portugal National Plans against Domestic Violence were also created and implemented. These are significant developments in the organization and operation of means for combating inequality and the phenomenon of domestic violence. However, evaluating the results of the implementation of these plans allows us to verify the efficacy-effectiveness ratios of interventions carried out which are much lower than expected.

Today the IV National Plan Against Domestic Violence (2011-2013) is in place.

The role of UMAR

UMAR is a women's association which was formed on September 12th 1976. As a nongovernmental organization, UMAR is represented on the Advisory Board of the Commission for Equality and Women's Rights (CIDM) since 1977. UMAR is now an association which calls for a socially committed feminism, dedicated to awakening feminist consciousness in Portuguese society. This Association was born out of women's active participation with the April 25, 1974 initiative and the need felt by many, to create an association to fight for their rights, in this new political context. As a result of the 25th of April of 1974 event (democratic government formation), there was the need to change woman's social status, and develop woman's rights. Throughout the years, UMAR has studied the progress of Portuguese society, monitoring developments and changes in Portugal and abroad. UMAR mainly intervenes in defense of women's rights by promoting equal opportunities between women and men, making bridges and networking with other national and international organizations and other social movements.

UMAR is a Feminist organization. By knowing the reality and the urgency of this concept in a patriarchal society in which we live, we stride in trying to comply and respond to as many discriminatory events as possible.

The main areas of work are: Gender Violence, Education and Community Intervention, Sexual and Reproductive Rights; study groups, seminars, publications and reflective thinking and action around a feminist agenda.

In the battered woman field, we handle both domestic violence and intimate partner violence. In these areas we can find various interventions of UMAR, such as, working directly with women and their children, upholding the demand for more and better rights and termination of situations of inequality based on gender. UMAR enforces these objectives by the implementation of measures and means aimed towards the correction of the situation. Also we contribute to the improvement and development of legislation in this area, as well as participating in the implementation of National Plans to Combat Domestic Violence and the network conjunction strategies developed by the CIG – the Commission for Citizenship and Gender Equality. Another area we advance is the improvement of intervention. We believe it is essential to better understand the reality in which one intervenes. UMAR prepares and participates in various studies of the phenomenon such as analyzing the base work carried out by women's NGO's relative to marital feminine homicide, in this case through the Observatory of Murdered Women.

In a more practical sense, UMAR handles direct interventions with abused women and Manages two shelters and two Service Centers, which are inserted in the Portuguese network of Public House Shelter for Women Victims of Domestic Violence (Diário da República, 2009). P'RA TI is one of these Service Centers.

Projects and program intervention, with strategic partners, working with children and youth are also a concern of UMAR. As a result, the institute builds and operates a violence prevention program. The program works in close partnership with schools, particularly in the Porto district area. This project is developed continuously using volunteers.

The UMAR Woman's Center – P'RA TI

In 2009, UMAR created the Oporto Women's Centre – P'RA TI, dedicated especially to attend to women victims of violence. The objectives of P'RA TI are:

- ❖ to create a space that assures a specialized support, follow up and specialist referrals for women victims of violence in order to protect their autonomy;
- ❖ to accomplish this with the cooperation of a multidisciplinary team (professionals from the areas of law, psychology and social work);
- ❖ to establish a network of partnership with others services and organizations to achieve a more effective long term support to women to

assure an autonomous and non-violent personal, familiar and professional life project.

Parallel to the intervention in supporting and accompanying the women, attention was put on rebuilding partnerships to create a social and institutional network to support women victims of domestic and gender violence.

To achieve the main target of the P'RA TI, that is, the autonomy and liberation of women victims of violence, we need to continue to develop the strategies of the different modalities of inclusivity and creativity that can allow women to express themselves (ourselves) and be aware of the traps of sexism and patriarchal society in order not to get caught up again in violent relationships.

Intervention model

The P'RA TI offers an integrated service to support women at various levels: legal, psychological and social, and in supporting women in building their life project. At the centre, women victims of violence are respected with their idiosyncrasies. At the first meeting, called a general service, the victims are heard and their needs, objectives and motivations are assessed. Only later, and if appropriate, women are referred to the services of psychology, social work, law and/or professional guidance.

P'RA TI intervenes according to the Feminist Ecological Model (Warren, 1994; Izquierdo, 2007) in defending the feminist view that “the violence stems from the unequal distribution of power between the sexes in our society, being used by men to exercise dominion and control over women keeping them in a subordinate position” (Yllo, 2005, Marin & Russo, 1999 cit. in Machado & Dias, 2010), conceiving it as a phenomenon of “genderized nature” (ibid.). In each area of professional expertise, the intervention is made integrating Bronfenbrenner (1979) ecological approach. The model has been applied to different violence types, showing that gender-based violence is a complex problem that cannot be attributed to a single cause.

In order to assist women in regaining their freedom and autonomy, intervention always considers the “psychological-developmental context” (...) (ontogenetic level), the family “immediate interactive context” (microsystem), the formal and informal contexts, (exo-system) and the cultural context (macro-system), (Belsky, 1993 cit. in Machado & Dias, 2010).

The ecological model applied to gender violence, has been studied in the ecological framework. In intimate partner violence (Heise, 1998; Chaulk & King, 1998) there are four integrated levels/contexts that explain the violence towards women: macro-system – (societal level), exo-system (community level), micro-system (family and relationship) and finally endo-

system (individual level). As Figure 1 shows, at these levels, when different risk factors combine it result in violence against women (Heise, 1998).

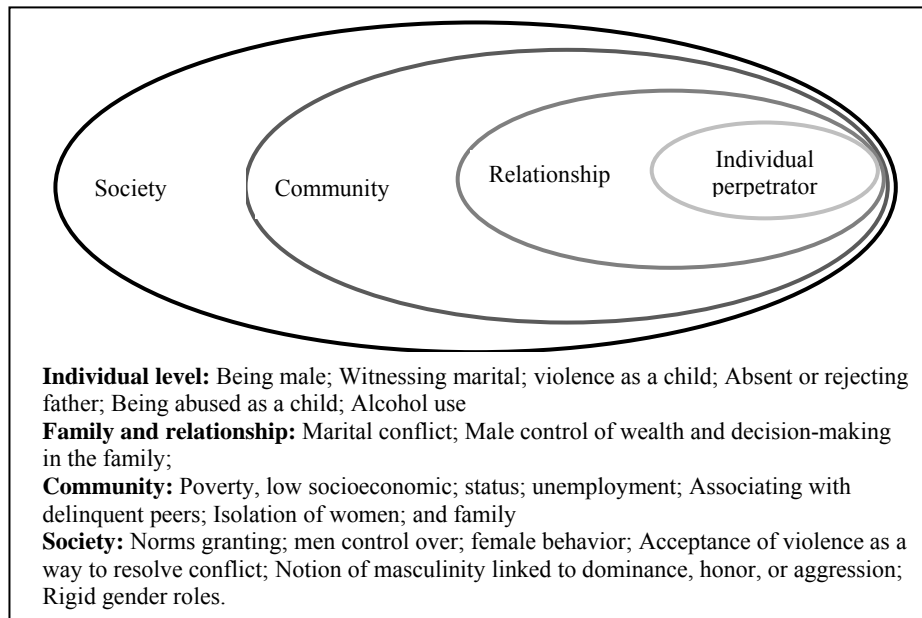


Figure 1 - Ecological model – adapted from Heise, Ellsberg, and Gottemoeller, (1999)

“The feminist values”, which are of particular relevance here, are:

- confidence in the woman's personal narrative to tell the truth;
- the acceptance of a holistic view of reality and not dichotomized, including a junction between politics and personal component;
- a focus on choice and options;
- an understanding of the nature of gender power relations in society and the emphasis on personal empowerment and healing, especially in cases of victimization.

The model of woman-centered justice, in which the values and relationships are valued personal care, may better reflect the “personal needs of women”, (Bricker & Jenkins, 2002; Dominelli, 2002; Robbins & Chatterjee & Canda, 2006 cit. in Wormer, 2010).

In our practice, we realize that there isn't a consolidated route for the entry of women in support networks when they are in a situation of victimization. Many times, women come to us at different times in the process (while still with the aggressor, after submitting the complaint, before or after they divorced after the perpetrator has already been condemned or at least judged in court, etc..).

Each situation is very different from the others and, ultimately, it is important that victims can access to the institutions at any time during the proceedings. However, the fact that there is no standardized access can mean, and certainly means, that the communication and coordination between institutions are neither the best nor the most effective. It seems to us that there are not as yet any established formal protocols to protect women from secondary victimization and the risk of re-victimization (Wormer, 2010).

To achieve the main target of the P'RA TI (Oporto Women's Centre of UMAR), that is the autonomy and liberation of prior women victims of violence – we need to continue to develop strategies using different modalities of inclusivity and creativity that can allow women to be aware and express themselves, and prevent getting caught up again in violent relationships.

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